

Remarks

Claims 1-18 are pending in the application and are rejected.

Examiner Interview

The undersigned thanks Examiner Smith for the courtesy of a telephonic interview held on February 9, 2006. The below comments reflect the matters discussed during the interview.

Claim rejections

Section 112

Claim 1 and 12 were rejected under 35 USC 112, 2nd paragraph. The Applicant respectfully traverses. The Examiner in particular notes the language "to a specific degree corresponding to a variation in a driver's accelerator operation." This feature is clearly explained in the present specification at, for example, pages 24-26. As explained, a shorter cancellation time t to cancellation of torque restriction is calculated based at least in part on a degree of change in accelerator depression. FIG. 10 shows one example of a mapping of cancellation time t versus additional accelerator depression Δ Acc which may be used to determine a time of torque cancellation. Thus, cancellation of torque restriction is responsive to variation in a driver's accelerator operation, as claimed. Moreover, the claim language is clearly explained and supported by the specification, as noted previously. Withdrawal of the rejection of claims 1 and 12 is therefore respectfully requested.

Section 103

Claims 1-18 were rejected under 35 USC 103(a) as being unpatentable over Tabata et al. (JP10-304514) in view of Tezuka (US 5,195,037). The Applicant respectfully traverses. Both Tabata et al. and Tezuka fail to disclose or suggest "a torque restriction cancellation control module that, in response to at least a reducing tendency of the skid, cancels the torque restriction, which is set by said torque restriction control module, *to a specific degree corresponding to a variation in a driver's accelerator operation*, and controls said motor under at least partly cancelled torque"

(emphasis added) as recited in claim 1, or "in response to at least a reducing tendency of the skid, canceling the torque restriction, which is set by said step (b), *to a specific degree corresponding to a variation in a driver's accelerator operation*, and controlling said motor under at least partly cancelled torque restriction" (emphasis added) as recited in independent claim 12. Claims 1 and 12 are therefore allowable over Tabata et al. and Tezuka, as are the remaining claims for at least the reason that they depend on one of claims 1 or 12. Withdrawal of the rejection of claims 1-18 as unpatentable over Tabata et al. and Tezuka is therefore respectfully requested.

Conclusion

In light of the above discussion, Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4323 to discuss any matter concerning this application. The Office is authorized to charge any fees related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

Dated: March 10, 2006

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